

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRUCE ARMAND CERNY,)	C 10-01862 JF (PR)
)	
Petitioner,)	ORDER OF TRANSFER
)	
vs.)	
)	
K. L. DICKINSON, Warden,)	
)	
Respondent.)	
)	

Petitioner, a state prisoner proceeding pro se, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging the 2007 and 2008 Board of Prison Terms' decisions finding him unsuitable for parole. Petitioner has paid the filing fee. Although it is not readily apparent where the parole hearings occurred, it is clear that Petitioner is currently confined at the California Medical Facility in Vacaville of Solano County, which is located within the venue of the Eastern District of California. 28 U.S.C. § 84(b).

Venue in a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence, such as a parole denial claim.

1 See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989).

2 Accordingly, this case is TRANSFERRED to the United States District Court for the
3 Eastern District of California, the location of Petitioner's confinement. See 28 U.S.C. §
4 1404(a); Habeas L.R. 2254-3(b)(1).

5 The Clerk shall terminate any pending motions and transfer the entire file to the
6 Eastern District of California.

7 IT IS SO ORDERED.

8 DATED: 8/3/10


JEREMY FOGEL
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BRUCE A. CERNY,

Petitioner,

v.

K.L. DICKINSON, Warden,

Respondent.

Case Number: CV10-01862 JF

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 8/11/10, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Bruce Armand Cerny C-21979
California Medical Facility
PO Box 2000
1600 California Dr
Vacaville, CA 95696-2000

Dated: 8/11/10

Richard W. Wieking, Clerk